

**REVISED**

## Formal Meeting Agenda



### Tempe City Council November 4, 2004

Harry E. Mitchell Government Center  
Tempe City Hall - City Council Chambers  
31 East Fifth Street  
7:30 p.m.

1. INVOCATION - Councilmember Arredondo
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Vice Mayor Mitchell
  - A. Approval of Council Meeting Minutes – None.
  - B. Acceptance of Board & Commission Meeting Minutes
    1. Massage Examiners Board – October 13, 2004 [20041104STAX05.pdf](#)
4. REPORTS AND ANNOUNCEMENTS
  - A. Mayor's Announcements
    - Board and Commission Vacancies
    - **BPOE Police and Fire Awards**
  - B. Manager's Announcements

5. AGENDA

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (\*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

**'q-j'** indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

A. Miscellaneous Items

2. Request approval of the Report of Claims Paid to be Filed for Audit for the week of October 17, 2004.

**COMMENTS:** A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

3. Request approval of a one-year renewal of contracts for water treatment chemicals with the following companies: Lucier Chemical Ind., Ltd.; Polydyne, Inc.; Cal-Pacific Carbon, Inc.; Kemiron Co, Inc.; DPC Enterprises, LP; Tramfloc, Inc.; Hill Brothers Chemical; and Thatcher Company.

**COMMENTS:** Total amount not to exceed \$1,000,000.

**DOCUMENT NAME:** [20041104fsts01.pdf](#) PURCHASES (1004-01)

4. Request approval of new traffic control agreement with Thew Elementary School.

**DOCUMENT NAME:** [20041104PWJW01.pdf](#) SCHOOL-PEDESTRIAN CROSSINGS (0809-04)

5. Request approval of a School Crossing Agreement with Kyrene de los Ninos Elementary School.

**DOCUMENT NAME:** [20041104PWJW02.pdf](#) SCHOOL-PEDESTRIAN CROSSINGS (0809-04)

6. Request for an Amended Final Subdivision Plat for Sharon Estates at 1101 East Warner Road, #148 and #149.

**COMMENTS:** (John Carr & Rosemary Geary, property owners) #SBD-2004.85 consisting of one (1) lot on .96 net acre.

**DOCUMENT NAME:** [20041104dsd2k06.pdf](#) PLANNED DEVELOPMENT (0406)

7. Request for a Preliminary and Final Subdivision Plat by QuikTrip #429 at 1545 North Scottsdale Road.

**COMMENTS:** (Theodore and Beverly Razook, property owners) #SBD-2004.78 consisting of one (1) lot on 3.95 net acres.

**DOCUMENT NAME:** [20041104dsd2k04.pdf](#) PLANNED DEVELOPMENT (0406)

8. Request for a Preliminary and Final Subdivision Plat for Cox Reels at 6805 South Clementine Court.

**COMMENTS:** (Cox Family Trust, Donald Cox, property owner) #SBD-2004.81

consisting of one (1) lot on 3.06 net acres.

**DOCUMENT NAME:** [20041104dsrl05.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*9. This is a public hearing for the approval of a Series 12 Restaurant Liquor License for Half Moon 2, LLC, dba Half-Moon Sports Grill, at 325 W. Elliot Road, #106.

**COMMENTS:** Randy Nations, Agent

**DOCUMENT NAME:** [20041104LIQ1.pdf](#) **LIQ LIC (0210-02)**

- \*10. This is a public hearing for the approval of a Series 12 Restaurant Liquor License for Mucho Gusto Mexican Cantina, LLC, dba Mucho Gusto Taqueria Mexican Bistro, at 603 W. University Drive.

**COMMENTS:** Chad Withycomb, Agent

**DOCUMENT NAME:** [20041104LIQ2.pdf](#) **LIQ LIC (0210-02)**

- \*11. This is a public hearing for the approval of a Series 5 Government Liquor License for Arizona Board of Regents on behalf of Arizona State University, dba ASU Gammage Auditorium, at 1200 S. Forest Drive.

**COMMENTS:** Colleen Jennings-Roggensack, Agent

**DOCUMENT NAME:** [20041104LIQ3.pdf](#) **LIQ LIC (0210-02)**

- \*12. This is a public hearing for the approval of a Class B Bingo License application for the Tempe Elks Lodge #2251, at 2320 S. Hardy Drive.

**COMMENTS:** Jimmy Davis, Agent

**DOCUMENT NAME:** [20041104STAX04.pdf](#) **LIQ LIC (0210-02)**

- \*12a. Motion for **reconsideration of the denial** of a Series 12 Restaurant Liquor License for TCBRN, LLC, dba The Loft, at 420 S. Mill Avenue.

**COMMENTS:** Brandon P. Shriver, Agent

**DOCUMENT NAME:** [20041028LIQ3.pdf](#) **LIQ LIC (0210-02)**

**B. Award of Bids**

13. Request to award a one-year, sole source contract to Sunland Asphalt, Inc., for the supply and application NovaChip as part of the major street rehabilitation.

**COMMENTS:** Subject to the execution of the final written contract. Total cost for this contract shall not exceed \$257,783 during the contract period.

**DOCUMENT NAME:** [20041104fslq02.pdf](#) **PURCHASES (1004-01)**

**C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings**

before final Council action.

- \*14. This is the **introduction and first public hearing** to amend Chapter 17 of the Tempe City Code relating to Massage Therapists and Establishments. **The second public hearing is set for November 18, 2004.**

**DOCUMENT NAME:** [20041104cacc01.pdf](#) TCC CH 17 – MESSAGE ESTABLISHMENTS ORDINANCE NO. 2004.49

- \*15. This is the **introduction and first public hearing** for a Preliminary and Final Planned Area Development for Fountainhead Park Plaza located at 2625 S. Plaza Drive. **The second public hearing is set for November 18, 2004.**

**COMMENTS:** (Amberjack, Ltd., property owner) #SPD-2004.74 for a Preliminary and Final Planned Area Development for Fountainhead Park Plaza, a portion of Sites 3 & 4 of Fountainhead Corporate Park (Lot 6 of the Replat) located on 6.12 acres and consisting of 101,300 square feet of office building.

**DOCUMENT NAME:** [20041104dsdk01.pdf](#) PLANNED DEVELOPMENT (0406)

- \*16. This is the **introduction and first public hearing** for a 5<sup>th</sup> Amendment to the Preliminary P.A.D. for Fountainhead Corporate Park at 1535 W. Broadway Road. **The second public hearing is set for November 18, 2004.**

**COMMENTS:** (Birtcher Arizona for Amberjack, Ltd, property owner, and Balmer Architectural Group, Applicant) consisting of 1,896,400 square feet of total building area on 74.58 gross acres.

**DOCUMENT NAME:** [20041104dsdk02.pdf](#) PLANNED DEVELOPMENT (0406)

D. Ordinances and Items for Second Hearing/Final Adoption

- q-j \*17. This is the **second public hearing** for an Amended General Plan of Development consisting of three phases on 3.96 net acres for Quiktrip #429, and a Final Plan of Development, including a use permit and variance, on 1.87 net acres for Quiktrip #429 Phase I, at 1545 North Scottsdale Road.

**COMMENTS:** (Theodore and Beverly Razook, property owners) located at 1545 North Scottsdale Road, including the following:

#SGF-2004.71 for a General Plan of Development consisting of three phases of development including a gas station/convenience store on Phase I, and office building on Phase II and a car wash on Phase III with a total 27,572 s.f. building area on 3.96 net acres, and a Final Plan of Development for Quiktrip #429 Phase I, consisting of 5,104 s.f. for the convenience store and 9,878 s.f. for the fuel canopy for a total of 14,982 s.f. on 1.87 net acres

Use Permit: Allow a 5,104 s.f. convenience store with fuel pumps in the PCC-1 Zoning District.

Variance: Allow a fuel pump facility to be located away from two major

arterial intersection streets.

DOCUMENT NAME: [20041104dsd2k03.pdf](#) PLANNED DEVELOPMENT (0406)

E. Resolutions – None.

**6. PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

- David Werner, 420 W. 1<sup>st</sup> Street, #317, Tempe, re: ASU Students and City Council

**7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS**

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

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